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November 5, 2007

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## By E-File

Honorable Sue L. Robinson United States District Court J. Caleb Boggs Federal Building 844 King Street Lockbox 31 Wilmington, DE 19801

> Hess Dental Labs., et. al. v. Dentsply Re: Int'l, Inc. et.al., C.A. No. 99-255 (SLR)

Dear Judge Robinson:

I write to inform Your Honor that Exhibits A-C to the Declaration of Richard T. Joffe, D.I. 278, are copies of testimonial transcripts in United States v. Dentsply Int'l, Inc., D. Del., 99-005-SLR. In addition, pages A-107 to A-268 of the Appendix to Plaintiff's Brief in Support of Their Motion to Supplement the Record, and Requesting that the Court's Prior Order be Amended to Reflect Such Supplementation, D.I. 275, consists of the Expert Report of Dr. David Reitman filed in *United States v. Dentsply* Int'l, Inc., D. Del., 99-005 SLR. When the testimony in Exhibits A-C was taken and Dr. Reitman's Report was prepared the case was governed by a confidentiality order and there were no indications regarding which portions of the testimony or the Report were considered confidential. Therefore, for purposes of filing the transcripts as exhibits herein and Dr. Reitman's Report, Plaintiffs are unable to file redacted versions of Exhibit A-C or pages A-107 to A-268 of the Appendix.

Should Your Honor have any questions, I am available at the Court's convenience.

Respectfully,

Scott M. Tucker (#4925)

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